

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA**

THE STATE OF LOUISIANA,
By and through its Attorney General,
JEFF LANDRY, et al.,

PLAINTIFFS,

v.

JOSEPH R. BIDEN, JR., in his official capacity
as President of the United States, et al.,

DEFENDANTS.

Civ. No. 2:21-cv-00778-TAD-KK

Statement Regarding Supplemental Administrative Record

Plaintiff States submit this Statement in response to Defendants' submissions of supplemental administrative records and privilege logs. Docs. 186, 192. Plaintiff States' position is that the administrative record remains incomplete and that Defendants have inappropriately invoked privilege to withhold key parts of the record. Indeed, Defendants admit, via the privilege log, that White House involvement exists regarding this matter, but refuse to disclose any specifics or documents. *See* Doc. 192-5 at 5-7. At this time, however, Plaintiff States withdraw their extra-record discovery motion, ECF No. 174, without prejudice and intend to move for summary judgment within thirty days in accordance with this Court's order adopting the Rule 26(f) report, ECF Nos. 151 at 2, 153, and extra record discovery order, ECF No. 180 at 2 n.3. Plaintiff States take this step to ensure the expeditious resolution of this case and the certainty afforded by a final judgment—not because they believe the administrative record is complete or that Defendants have appropriately invoked privilege.

Accordingly, Plaintiff States **withdraw** their extra-record discovery motion **without prejudice**.

Respectfully submitted,

Dated: March 7, 2022

/s/Elizabeth B. Murrill

TYLER R. GREEN
DANIEL SHAPIRO
CONSOVOY MCCARTHY PLLC
222 S. Main Street, 5th Floor
Salt Lake City, UT 84101
(703) 243-9423

JEFF LANDRY
Attorney General
ELIZABETH B. MURRILL
Solicitor General
JOSEPH S. ST. JOHN
Deputy Solicitor General
LOUISIANA DEPARTMENT OF JUSTICE
1885 N. Third Street
Baton Rouge, LA 70804
Tel: (225) 326-6766
murrille@ag.louisiana.gov
stjohnj@ag.louisiana.gov

Counsel for Plaintiff States